

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Public Services - Anti-Corruption Bureau Trap Case filed against Sri P.Bhupathi Rao, formerly Assistant Secretary to Government (Retired), Municipal Administration & Urban Development Department in CC.No.41/02 before the Principal Special Judge for SPE & ACB Cases, City Civil Court, Hyderabad - Convicted - Imposition of penalty of withholding of entire Pension and other pensionary benefits - Orders - Issued.

GENERAL ADMINISTRATION (SC.D) DEPARTMENT

G.O.Rt.No.52,

Dated: 02-01-2009.

Read the following:-

1. G.O.Rt.No.3728, General Administration (SC.F) Department, dated 16-8-1999.
2. G.O.Ms.No.431, General Administration (SC.F) Department, dated 12.11.2001.
3. G.O.Rt.No.1909, General Administration (SC.F) Department, dated 19.11.2002.
4. G.O.Rt.No.2363, General Administration (SC.F) Department, dated 16.5.2002.
5. From the Principal Special Judge for SPE & ACB Cases, Hyderabad Judgement in CC No.41/2002 dated 23.01.2008.

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O R D E R :-

In the G.O.1st read above, Government have placed Sri P.Bhupathi Rao, formerly Assistant Secretary to Government, Municipal Administration & Urban Development Department, Andhra Pradesh Secretariat, Hyderabad under suspension under rule 8(1) of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 for his involvement in a case of moral turpitude and a case was registered against him on corruption charges of demand and acceptance of illegal gratification from one Sri B.Sreenivasulu. The suspension case of the Accused Officer was reviewed by the Government and he was reinstated into service vide G.O.3rd read above.

2) In the G.O.2nd read above, Government have accorded sanction to prosecute Sri P.Bhupathi Rao, formerly Assistant Secretary to Government, in a Court of Law.

3) Sri P.Bhupathi Rao, formerly Assistant Secretary to Government, Social Welfare Department has retired from service on attaining the age of superannuation of 58 years on 31.7.2002 A.N. vide G.O.4th read above.

4) In the reference 5th read above, the Principal Special Judge for SPE & ACB Cases, Hyderabad vide his Judgement dated 23.01.2008 in C.C.No.41/02 has convicted (A.O-2) Sri P.Bhupathi Rao and sentenced him to undergo rigorous imprisonment for six months and to pay a fine of Rs.500/- and in default, to suffer one month simple imprisonment for the offences under section 7 of the Prevention of Corruption Act, 1988 and sentenced him to undergo rigorous imprisonment for one year and to pay a fine of Rs.500/- and in default, to suffer one month simple imprisonment for the offences under section 13(2) read with 13(1)(d) of the Prevention of Corruption Act., 1988. Both the sentences were ordered to run concurrently.

5) The Honourable High Court of Andhra Pradesh, Hyderabad, while admitting the Criminal Appeal filed by Sri P.Bhupathi Rao against the Judgement pronounced by the Principal Special Judge for SPE & ACB Cases, Hyderabad, has granted bail pending disposal of the appeal and also suspended the sentence of imprisonment alone, vide its interim Orders dated 14.02.2008 in Criminal A.M.P. No.278/08 in Criminal Appeal No.171/2008.

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6) Government after careful examination of the case in the light of the above Judgement observe that since the accused officer i.e., Sri P.Bhupathi Rao has retired from Government service, the entire pension and other pensionary benefits due to him can be withheld in accordance with rule 9(1) of the Andhra Pradesh Revised Pension Rules, 1980.

7) Accordingly, Government hereby impose the penalty of "withholding of entire pension and other pensionary benefits" on Sri P.Bhupathi Rao, Assistant Secretary (Retired), Municipal Administration & Urban Development Department under rule 9(1) of the Andhra Pradesh Revised Pension Rules, 1980 read with G.O.Ms.No.442, Finance Department, dated 25.09.2003.

8) The Social Welfare (OP) Department shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P. RAMAKANTH REDDY
CHIEF SECRETARY TO GOVERNMENT.

To,
Sri P.Bhupathi Rao, Assistant Secretary (Retired), Social Welfare Department through the Social Welfare Department.

The Social Welfare (OP) Department (with a request to serve the above order on the officer and send the dated acknowledgement).

The General Administration (SC.F) Department.

The Director General, Anti-Corruption Bureau, Hyderabad.

The Deputy Pay and Accounts Officer, Andhra Pradesh Secretariat, Hyderabad.

The Accountant General, Andhra Pradesh, Hyderabad.

The Law (E) Department.

SF/SC.

// Forwarded :: By Order //

SECTION OFFICER (SC)